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15 Chapter 11 Trustee for the Bankruptcy Estate
of The Litigation Practice Group P.C.
16

17
18 UNITED STATES BANKRUPTCY COURT
19 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

20 In re
21
22 THE LITIGATION PRACTICE GROUP P.C.,
23 Debtor.

Case No. 8:23-bk-10571-SC
Chapter 11
CHAPTER 11 TRUSTEE’S STATUS
REPORT
Date: August 29, 2024
Time: 10:00 a.m.
Status Report Due: August 15, 2024
Ctrm: Courtroom 5C¹
411 West Fourth Street
Santa Ana, CA 92701

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28 Virtual appearances may be authorized. Anyone interested in participating in or observing the
hearing remotely via Zoom should check the Court’s posted calendar prior to the hearing at
<http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/>

1 TO THE HONORABLE JUDGE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY
2 COURT JUDGE, AND ALL INTERESTED PARTIES:

3 Pursuant to the Court's Order entered as Dk. No. 1446, Richard A. Marshack, in his capacity
4 as the Chapter 11 Trustee ("Trustee") of the bankruptcy estate ("Estate") of The Litigation Practice
5 Group P.C. ("Debtor"), respectfully submits this Chapter 11 status report ("Status Report") in
6 advance of the status conference scheduled on August 29, 2024.

7 1. **Plan and Disclosure Statement:** On March 22, 2024, as Dk. No. 1057, the Trustee and the
8 Official Committee of Unsecured Creditors ("Committee") (collectively, the "Plan Proponents")
9 jointly filed a Chapter 11 Plan of Liquidation ("Plan"). On March 22, 2024, as Dk. No. 1058, the
10 plan proponents filed their Disclosure Statement describing Joint Chapter 11 Plan of Liquidation
11 ("Disclosure Statement").

12 On May 15, 2024, the Court held a hearing on the Joint Motion of the Trustee and
13 Committee for entry of order (1) Approving Proposed Disclosure Statement; (2) Approving
14 Solicitation and Voting Procedures; (3) Approving Notice and Objection Procedures for
15 Confirmation of the Plan; (4) Setting Related Deadlines and (5) Granting related Relief, Dk. No.
16 1059 ("Motion to Approve Plan and Disclosure Statement").

17 On June 17, 2024, as Dk. No. 1348, the Court entered an order granting Motion to Approve
18 Plan and Disclosure Statement. The Court set the following deadlines in its order:

- 19 • May 15, 2024 as the "Voting Record Date" for purposes of determining the
20 claimholders that are entitled to vote on the Plan, or in the case of non-voting classes,
21 for purposes of determining the claimholders to receive certain Plan-related materials
22 approved by the Court
- 23 • June 20, 2024 as the "Solicitation Commencement Deadline" by which Plan
24 Proponents would distribute Plan confirmation hearing notice and solicitation
25 packages to the voting classes and serve the same.
 - 26 ○ June 20, 2024 was also set as the "Voting Objection Deadline" for Plan
27 Proponents to object to any claim solely for Plan voting purposes.

- July 18, 2024 as the “Voting Deadline” by which all properly executed, completed and delivered ballots would have to be received by Omni Agent Solutions (“Omni,” also the “Solicitation Agent”). Omni was authorized to receive hardcopy as well as electronic ballots.

The Court set August 29, 2024 at 10:00 a.m. as the hearing date and time for confirmation of the Plan. Any objections to the confirmation of the Plan (“Confirmation Objections”) are to be filed by August 15, 2024. Any replies must be filed by August 22, 2024.

As of the filing of this Status Report, the following Confirmation Objections have been filed:

- Dk. No. 1490, filed on August 7, 2024—Confirmation Objection of Greyson Law Center, PC, Jayde Trinh and Han Trinh; and
- Dk. No. 1504, filed on August 13, 2024—Confirmation Objection of California d/b/a Anthem Blue Cross and Anthem Blue Cross Life and Health Insurance Company (collectively, “Anthem”).

2. Administrative Claims

A total of 23² motions for allowance of administrative expense claims were filed seeking a total amount of \$8,267,722.97. In addition, two administrative claimants did not file motions because the Court has already allowed such amounts (FTL 500 Corp. in the amount of \$10,000, Dk. No. 825, and River Tree, LLC, in the amount of \$35,843.77, Dk. No. 522). The current allowed, non-professional administrative expenses total \$790,106.32. The amount of disputed non-professional administrative claims remaining in dispute is \$7,017,494.34.

The Trustee opposed four of the administrative expense motions in their entirety. Hearings were held on these four motions. The Court denied the motion of Judith Skiba in the amount of \$20,000 (Dk. No. 1216) and took under submission the motions of Han Trinh (Dk. No. 674) seeking \$136,280.56, Phuong (aka Jayde) Trinh (Dk. No. 675) seeking \$114,825.14, and Greyson Law Center, PC (Dk. No. 676) seeking \$5,434,633.00. Decisions on these disputed motions have not yet

² Administrative expense motion Dk. No. 706 included joint expenses of three claimants: Amy Ginsburg, Kenton Cobb, and Shannon Bellfield. The Trustee’s counsel investigated and verified these claims independently but for purposes of this Status Report treats their claims jointly.

1 been announced by the Court.

2 After investigation, the Trustee did not oppose any of the amount of the following two
3 motions: David Orr, Esq., (Dk. No. 697) in the amount of \$31,068.45 and Peter Schneider (Dk. No.
4 702) in the amount of \$67,252.77. Likewise, the Trustee entered into stipulations with 14 of the
5 administrative claimants³ whereby the claimants agreed to reduce the amounts sought and the
6 Trustee agreed not to oppose the reduced amounts. The Court approved all 14 of these stipulations.
7 In all, the Court's orders on these 14 stipulations allowed a total payable amount of \$645,941.33 on
8 an amount sought of \$1,086,063.64.

9 Currently, there are three administrative expense motions that remain pending to which the
10 Trustee's response has been extended. These motions are set for hearings on September 11, 2024,
11 and the Trustee's responses are due August 28, 2024. The following summarizes the Trustee's
12 current position on the remaining three administrative expense motions:

13 United Partnership, Dk. No. 671: United Partnerships ("UP") seeks \$178,665.70 for providing leads
14 and customer retention services to Debtor. The Trustee has concluded that he must oppose the
15 motion because UP has not yet been able to provide any evidence that its claim arose from a post-
16 petition transaction **with the Debtor** that directly and substantially benefitted the estate. The Trustee
17 has agreed to continue the hearing on the Motion and modify the briefing schedule to provide UP
18 with additional time to investigate and provide proof in support of its claim.

19 Herret Credit Consultants, Dk. No. 708: Herret Credit Consultants ("Herret") seeks \$450,000 for
20 post-petition services allegedly managing 65,000 consumer clients and a myriad of alleged LPG
21 affiliate firms. The Trustee has concluded that he must oppose this request in its entirety because
22 Herret has not provided any evidence to date that its claim arose from a post-petition transaction
23 **with the Debtor** (and not non-Debtor entities that received fraudulent transfers of the Debtor's
24 assets) which directly and substantially benefitted the estate. The Trustee has agreed to continue the
25

26 ³ Trustee entered into stipulations with the following 14 claimants (Name, Dk. No.): (1) ADP, 665;
27 (2) Wells Marble and Hurst, PLLC, 679; (3) SDCO Tustin Executive Center, Inc., 686; (4) Melina
28 Beltran, 693; (5) Kimberly Torres, 694; (6) Melissa Wilkes, 695, amended by 727; (7) R. Reed
Pruyn, 698; (8) Jorge E. Sanchez, 700; (9) Jaslynn Sanchez, 701; (10) Amy Ginsburg, et al, 706;
(11) Randall Baldwin Clark, Attorney at Law, PLLC, 707; (12) Sharp Electronics Corporation, 729;
(13) Israel Orozco, 862; (14) Jennifer McLaughlin, 1363.

1 hearing on the Motion and modify the briefing schedule to allow Herret time to complete its
2 investigation and attempt to meet its burden of proof.

3 Alteryx, Dk. No. 750: Alteryx seeks \$703,089.94 based on a March 2022 sublease agreement
4 between Alteryx and Innovative Solutions, Inc. (“Innovative”) for property located at 3345
5 Michelson Drive, Suites 400 and 490, and 3347 Michelson Drive, Suite 400 in Irvine, CA (“Alteryx
6 Property”). The Debtor was not a party to the sublease and did not receive any benefit in return for
7 providing Alteryx with: (1) a guaranty of the obligations under the sublease (on property LPG did
8 not occupy); and (2) an irrevocable letter of credit (“LOC”) in the amount of \$409,206.31 (secured
9 by cash pledged by LPG). The Trustee is preparing an adversary proceeding against Alteryx which
10 will seek avoidance and recovery of fraudulent transfers including the cancellation of LPG’s
11 guaranty, its pledge of cash in support of the LOC which Alteryx has completely exhausted, and
12 over \$1 million of payments made by LPG on account of obligations under the sublease. Some of
13 these transfers occurred pre-petition (payments made from Debtor’s bank accounts for rent of
14 Alteryx Property by non-Debtor entities which themselves were fraudulent transferees of Debtor’s
15 assets).⁴ Other transfers occurred post-petition (Alteryx’s draws on LOC after petition date). In light
16 of the Trustee’s rights to avoid these transfers, Section 502(d) requires that any allowed expense that
17 would otherwise be entitled to administrative expense must be disallowed until all fraudulent
18 transfers are repaid.

19 Administrative Claims filed without a Motion

20 There were approximately 78 parties that filed proofs of claim which marked the box stating
21 it was an administrative claim. The Trustee intends to file an omnibus objection to these parties’
22 claims because they did not follow the proper procedure for obtaining an administrative claim and
23 the deadline for parties to file motions for allowance of administrative claims has passed. Based on
24 the Trustee’s review of these claims, it appears that none of them would qualify for allowance as a
25 post-petition administrative expense.

26 _____

27 ⁴ During the Trustee’s investigation, it was discovered that at least five entities currently sued by
28 estate in the adversary proceeding entitled *Marshack v. Diab*, Case No. 8:23-ap-01046-SC as
fraudulent transferees of Debtor’s assets actually occupied Alteryx Property. These four known
entities are: Greyson, Prime Logix, Oakstone, Maverick, and Guardian.

1 **3. Claims as of Status Report Filing**

2 As of the filing of this Status Report, a couple thousand proofs of unsecured claims have
3 been filed with the bankruptcy court. Another couple thousand proofs of unsecured claims have been
4 filed directly with the Court-approved claims agent, Omni Agent Solutions.

5 The Trustee has sorted the filed claims into the following groups: (1) Consumer Proofs of
6 Claim; (2) Non-Consumer Proof of Claims; and (3) Priority Claims. The Trustee also filed a claim
7 on behalf of all consumers whose contracts were rejected. This claim incorporates approximately
8 18,000 consumers and is an unsecured claim. The Trustee does not intend to file any objections to
9 claims until after the Effective Date and when further sales proceeds and litigation recoveries have
10 been received.

11 **4. Litigation Claims**

12 **A. Pure Avoidance Actions**

13 The Trustee has developed a comprehensive list of litigation claims against entities that
14 received avoidable transfers including fraudulent conveyances, preferences, and unauthorized
15 postpetition transactions. The list currently includes 517 transferees which received transfers totaling
16 approximately \$100 million. Because the litigation target list is sizeable and is significantly longer
17 than it would be in a standard Chapter 11 case, the Trustee is currently in the process of finalizing a
18 process to commence and process this litigation in an efficient fashion. The Trustee recovering tens
19 of millions of dollars on account of these claims.

20 **B. Marketing Affiliate Actions**

21 The Trustee's special counsel is currently pursuing claims against various entities that seek
22 avoidance of fraudulent transfers and recovery/turnover of funds paid to marketing affiliates by the
23 Debtor on the theory that Defendant and Debtor were engaged in the solicitation of illegal capping of
24 consumers. To date, nine such complaints have been filed with a demand amount of over
25 \$11,000,000. The Trustee has approximately 150-200 more marketing affiliate targets under
26 investigation. The currently filed actions are:

- 27 • Dk. No. 773; 8:23-ap-01148-SC; Trustee's complaint against JGW Solutions, LLC.
- 28 • Dk. No. 780; 8:23-ap-01150-SC; Trustee's complaint against Clear Vision Financial,

1 LLC d/b/a Liberty1 Financial.

- 2 • Dk. No. 821; 8:24-ap-01001-SC; Trustee's complaint against Leucadia Enterprises.
- 3 • Dk. No. 824; 8:24-ap-01003-SC; Trustee's complaint against Perfect Financial, LLC.
- 4 • Dk. No. 826; 8:24-ap-01004-SC; Trustee's complaint against Point Break Holdings,
- 5 LLC.
- 6 • Dk. No. 919; 8:24-ap-01017-SC; Trustee's complaint against New Horizon Finance,
- 7 LLC.
- 8 • Dk. No. 920; 8:24-ap-01018-SC; Trustee's complaint against MRD Marketing LLC.
- 9 • Dk. No. 931; 8:24-ap-01023-SC; Trustee's complaint against CRI System, Inc.
- 10 • Dk. No. 823; 8:24-ap-01002-SC; Trustee's complaint against Clearcube LLC d/b/a

11 Litigation Practice Center.

12 In Clearcube LLC DBA Litigation Practice Center, the Court on June 4, 2023, granted
13 default judgement in favor of the Trustee in the amount of \$1,981,549.22. Dk.34. At the same time,
14 the Court entered Finding of Facts (Dk. 29). Currently, the Trustee is in the process of enforcing the
15 judgment amount from Clearcube.

16 **C. MCA Actions**

17 The Trustee's special counsel is pursuing various entities that entered into Merchant Cash
18 Advance Agreements with the Debtor. In such complaints, the Trustee seeks recovery of multiple
19 fraudulent conveyances. The Trustee has filed two complaints seeking recovering of approximately
20 \$7,000,000;

- 21 • Dk. No. 1228; 8:24-ap-01080-SC; Trustee's complaint against BMF Advance, LLC;
- 22 and
- 23 • Dk. No. 1352; 8:24-ap-01090-SC; Trustee's complaint against Cobalt Funding
- 24 Solutions, LLC.

25 The Trustee has approximately 20 more MCA targets under investigation.

26 **D. Trustee's Original Adversary Proceeding:** *Marshack v. Diab et. al*, (Dk. No. 93; 8:23-
27 ap-01046-SC). The Trustee's complaint against Tony Diab, Daniel S. March, Rosa Bianca Loli, and

1 approximately 45 or so others is the largest adversary in this bankruptcy case.

2 The Trustee sought an emergency turnover and restraining order to protect and recover
3 Debtor assets, client files, funds and evidence fraudulently transferred by LPG insiders and co-
4 conspirators, including Mr. Diab. Since the filing of the 1046 Action, the Trustee has obtained a
5 Preliminary Injunction to protect consumer clients, Estate assets, and evidence. The Trustee further
6 is in discussions and intends to enter into a settlement agreements with two additional defendants
7 with an anticipated turnover to the Debtor's Estate totaling more than \$1.2 million dollars, subject to
8 Court approval. The Trustee will shortly be seeking leave to file a Fifth Amended Complaint which
9 will encompass new claims learned during Trustee's investigation and discovery into the defendants'
10 wrongful conduct. Between July 3, 2024, and June 8, 2024, in Dk. Nos. 585-594 in the 1046
11 adversary, the Trustee filed ten joint status reports addressing claims against defendants
12 (1) Consumer Legal Group, P.C.; (2) Eng Taing; (3) Fidelity National Information Services, Inc.;
13 (4) Greyson Law Center, PC; (5) LGS HolCo., LLC; (6) OptimumBank Holdings, Inc.; (7) Scott
14 Eadie; (8) Touzi Capital, LLC; (9) WorldPay, LLC; and (10) Daniel March.

15 **5. Status of Trustee's Receipts**

16 Per the Monthly Operating Report filed on July 22, 2024, as Dk. No. 1445, as of June 30,
17 2024, the Estate has cash in the amount of \$10,915,324. Additional substantial recoveries are
18 expected to be recovered from Morning Law Group pursuant to the Court-approved sale and from
19 litigation recoveries.

20 **6. Appointment of Fee Examiner**

21 On August 5, 2024, as Dk. No. 1489, the Court entered its order appointing Nancy Rapoport,
22 who currently functions as the post-sale monitor, as the Fee Examiner ("Fee Examiner"). She will
23 review fees of all professionals in this case including the Trustee, Trustee's general counsel,
24 Trustee's special counsel, Trustee's accountants, Committee counsel, and the Committee's financial
25 advisors. The Trustee anticipates that the hearings on these applications will be heard in September
26 2024.

1 **7. Status of Secured Creditor and Related Litigation**

2 Because the Debtor failed to list all its secured creditors upon the bankruptcy filing, the
3 Trustee performed a UCC search and ultimately identified 23 creditors which allegedly held secured
4 liens (“Secured Creditors”). The Trustee did an analysis and put these creditors in two categories:
5 1) those that had documents to support their claims and filed liens, but who the Trustee believed had
6 issues related to those documents and liens; and 2) those that did not have documents to support their
7 claim and filed liens. Combined, these 23 creditors asserted that collectively they held liens,
8 which—if valid—encumbered at least \$174,901,643 of the Debtor’s collateral. The Trustee has
9 resolved all but 2 of the Secured Creditors’ claims. As described below, the settlements have
10 reduced the total secured claim amount from \$167,901,643 to \$1,355,000; leaving \$7,000,000 still
11 pending and to be resolved by way of order or settlement.

12 1. Zero Valuations for Ten Claims of Secured Creditors’ Without Documentation

13 On February 7, 2024, as Dk. No. 924, the Trustee filed a motion pursuant to F.R.B.P. 3012 to
14 value at \$0 the claims of Secured Creditors without documentation supporting their claim, and then
15 seeking an order authorizing UCC termination statements to be filed (the “3012 Motion”). The 3012
16 Motion listed 10 of the Secured Creditors.

17 On March 13, 2024, as Dk. No. 1021, the Court entered its order granting the 3012 Motion,
18 and thus those claims were reduced to \$0. The Trustee was able to file termination statements
19 terminating the liens of those parties. The order on the 3012 Motion reduced these 10 Secured
20 Creditors’ claims from \$12,316,691 to \$0.

21 2. Current Status of Secured Creditors With Documentation

22 City Capital NY (“City Capital”): On March 26, 2024, as Dk. No. 1069, the Court approved
23 the stipulation between the Trustee and City Capital whereby City Capital released \$2,950,000 from
24 the secured list. Thereafter, City Capital’s claim was allowed, unsecured claim against the Debtor in
25 the amount of \$365,500.

26 OHP / PurchaseCo (“OHP”): Dk. No. 497; 8:23-ap-10198-SC; Complaint by OHP-CDR, LP
27 and PurchaseCo 80, LLC against Trustee and Trustee’s Counter Claim against the Plaintiffs. On
28 September 11, 2023, OHP initiated an adversary proceeding against the Trustee and the Trustee filed

1 a counter-claim disputing the lien and ownership interest asserted. OHP asserted that it had a valid,
2 enforceable claim of \$16,938,954. After a hearing on the Trustee's Motion for Summary Judgment
3 on July 31, 2024, the Court took the matter under submission. After the hearing and before the Court
4 announced its decision, the Trustee and OHP were able to reach a settlement. The Trustee has filed a
5 Motion for Order Approving the Settlement Agreement ("Settlement Agreement Motion") as Dk.
6 No. 1494, which is currently set for a hearing on August 29, 2024, at 10:00 a.m. The deadline for
7 any opposition to the proposed compromise between the Trustee and OHP is August 15, 2024. The
8 terms of the Trustee's settlement agreement with OHP provide that OHP will have an unsecured,
9 subordinated claim of \$9.5 million. The Trustee will pay OHP \$250,000 from the Sale proceeds
10 upon effective date of the Plan and 12% of future proceeds from Morning Law Group paid after the
11 effective date, along with a percentage in future litigation proceeds, according to the formula
12 specified in the Settlement Agreement Motion.

13 Marich Bein: On March 15, 2024, the Court entered an order as Dk. No. 1030, approving the
14 stipulation between the Trustee and Marich Bein whereby Marich Bein consented to the Trustee
15 filing a termination of the UCC Statement. Marich Bein's \$22,304,093.25 alleged claim will thus be
16 unsecured moving forward, subject to objection and further investigation by the Trustee into the
17 transactions as alleged in the adversary complaint filed by the Trustee against Marich Bein and Bank
18 United, et al, Dk. No. 1068; 8:24-ap-01040-SC.

19 Bridge Funding CAP, LLC d/b/a/ Fundura Capital, MNS Funding, LLC, Azzure Capital
20 LLC, Diverse Capital, LLC, PECC Corp, Proof Positive LLC, MC DVI Fund 1 LLC, MC DVI Fund
21 2 LLC, Debt Validation Fund II LLC, Venture Partners LLC: These Secured Creditors have all been
22 named as defendants in the adversary 8:24-ap-01011-SC that the Trustee filed on January 26, 2024
23 ("Secured Creditor Adversary") seeking, *inter alia*, declaratory judgment as to validity of their
24 secured interests. The following is the status of Trustee's resolution with various defendants in the
25 Secured Creditor Adversary:

- 26 • The Trustee has been able to settle with Proof Positive/MCDVI Funds 1 and 2/Debt
27 Validation Fund II/Venture Partners – who agreed to its lien being avoided – thereby
28 reducing another \$68,000,000 from the secured list.

- The Trustee filed Summary Judgment Motions against Bridge Funding; Azzure Capital; Diverse Capital; and PECC.
 - On August 14, 2024, hearing was held on the Trustee’s Motion for Summary Judgment against Bridge Funding where the Trustee argued that the UCC1 statement relied upon by Bridge/Fundura to secure its \$2.3 million dollar claim was released and terminated. The Court took the matter under submission.
 - The Trustee has agreed to go to mediation with Azzure Capital. In the meantime, Azzure Capital has agreed to release its \$5 million lien from money that is to be paid upon effective date in exchange for a replacement lien on litigation proceeds. This agreement has been reduced to a stipulation.
 - The Trustee negotiated a settlement with Diverse Capital (“Diverse”). On August 7, 2024, the Trustee filed the 9019 settlement motion as Dk. No. 1492. Diverse’s claim is \$1,217,700 – the settlement will allow Diverse to have a secured claim of \$675,000 of which \$375,000 will be paid upon the effective date of the Plan; and a second payment of \$300,000 after the Estate recovers \$10 million from litigation proceeds. \$70,000 of the initial \$375,000 will be returned to the Estate as settlement of the avoidance actions. The balance of the Claim will be unsecured in the amount of \$612,000. The hearing on the settlement motion is set for August 28, 2024, at 10:00 a.m.
 - On July 31, 2024, a hearing was held on the Trustee’s Motion for Summary Judgment against PECC (“PECC MSJ”) at which the Trustee argued that PECC’s \$27,929,336.59 million lien was avoidable as a preference. On August 15, 2024, as Dk. No. 144, the Court entered an order granting Trustee’s PECC MSJ, thus removing secured status from PECC’s \$27,929,336.59 claim and deeming it an unsecured claim.
- MNS Funding: The Trustee negotiated a settlement with MNS Funding (“MNS”). On August 7, 2024, the Trustee filed the 9019 settlement motion as Dk. No.

1 1491. The MNS claim is \$15,000,000 – the settlement will allow \$500,000 to
2 be secured; with \$166,666 being paid upon the effective date of the Plan, and the
3 balance of \$333,333 to be paid after the Estate recovers \$10 million from litigation
4 proceeds. The balance of the claim is unsecured. The hearing on the settlement
5 motion is set for August 28, 2024 at 10:00 a.m.

6 • **Other Pending Litigation**

- 7 • Dk. No. 1095; 8:24-ap-01048-SC; Administrative claimant Alteryx’s complaint against
8 Morning Law Group, PC that was removed by Morning Law Group from state court.
9 • Dk. No. 1129; 8:24-ap-01068-SC; Trustee’s complaint against Arash Asante Bayrooti.

10 On August 15, 2024, the Court granted the Trustee a prejudgment writ of attachment and
11 temporary protective order making a finding that the Trustee established probably
12 validity that the estate will prevail on its avoidance claims exceeding \$5 million.

13 ///

14 ///

1 **8. Conclusion**

2 For the reasons set forth in the confirmation brief and to be set forth in the replies to the two
3 objections to confirmation, the Trustee believes that the plan can and should be confirmed. The
4 Trustee further believes that the estate will recover substantial additional funds from sales and
5 litigation proceeds. When the Trustee was appointed, the Debtor had already fraudulently transferred
6 all of its assets leaving the estate with little to nothing. If the Trustee did not actively pursue
7 litigation, creditors would have received nothing and the former consumer clients of the Debtor
8 would continue to be harmed. The Trustee, with the assistance of the Committee and the estate's
9 retained professionals, has provided tremendous benefit to the estate and has set the course for the
10 estate to maximize its recoveries for the benefit of allowed creditors.

11
12 DATED: August 15, 2024

DINSMORE & SHOHL LLP
Special Counsel for Chapter 11 Trustee
RICHARD A. MARSHACK

14 AND

15 MARSHACK HAYS LLP

16
17 By: /s/ D. Edward Hays
D. EDWARD HAYS
18 ALINA MAMLYUK
General Counsel for Chapter 11 Trustee
19 RICHARD A. MARSHACK
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27
28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **CHAPTER 11 TRUSTEE'S STATUS REPORT** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **August 15, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **August 15, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR – MAIL REDIRECTED TO TRUSTEE

THE LITIGATION PRACTICE GROUP P.C.
17542 17TH ST
SUITE 100
TUSTIN, CA 92780-1984

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **August 15, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:

PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

August 15, 2024
Date

Layla Buchanan
Printed Name

/s/ Layla Buchanan
Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** CONTINUED:

- **INTERESTED PARTY COURTESY NEF:** Kyra E Andrassy kandrassy@raineslaw.com, bclark@raineslaw.com;jfisher@raineslaw.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR): Bradford Barnhardt** bbarnhardt@marshackhays.com, bbarnhardt@ecf.courtdrive.com, alinares@ecf.courtdrive.com
- **ATTORNEY FOR CREDITOR AFFIRMA, LLC and CREDITOR OXFORD KNOX, LLC: Eric Bensamochan** eric@eblawfirm.us, G63723@notify.cincompass.com
- **ATTORNEY FOR DEFENDANT LEUCADIA ENTERPRISES, INC.: Michael Jay Berger** michael.berger@bankruptcypower.com, yathida.nipha@bankruptcypower.com;michael.berger@ecf.inforuptcy.com
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DALLAS, TX 75204

SECURED CREDITOR / POC ADDRESS

RIVER TREE LLC
C/O MAYS JOHNSON LAW FIRM
21 BATTERY PARK AVE, SUITE 201
ASHEVILLE, NC 28801

**SECURED CREDITOR / POC
ADDRESS**

VENTURE PARTNERS LLC
ATTN: OFFICER, A MANAGING OR
GENERAL AGENT, OR TO ANY
OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE OF PROCESS
1309 COFFEEN AVENUE, STE 1200
SHERIDAN, WY 82801